

Message Text

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ACTION SS-25

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INFO ALL EC CAPITALS

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 14166

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E.O.11652: GDS
TAGS: PARM ENRG TECH EEC
SUBJ: US-EURATOM RENEGOTIATION

REF: (A) BRUSSELS 7937; (B) BRUSSELS 7964;
(C) PARIS 11213; (D) STATE 110013

1. SUMMARY: EMBOFF MET WITH JACOMET, MFA ADVISOR ON NUCLEAR NON-PROLIFERATION MATTERS (AND PARTICIPANT IN BRUSSELS LUNCH DESCRIBED REF A), ON APRIL 27 TO DISCUSS SEVERAL ITEMS INCLUDING US-EURATOM RENEGOTIATIONS. HIS ACCOUNT OF THE LUNCHEON DISCUSSION AND OF THE PRIOR MEETING WITH BRUNNER WERE VERY MUCH ALONG THE LINES REPORTED IN REFS A AND B. HE SAID HE HAD BEEN ASKED TO GO TO BRUSSELS - HE HAD NOT INITIATED THE MEETING - AND HE HAD PRESENTED HIS GOVERNMENT'S (READ GISCARD'S) CURRENT POSITION. HE CHARACTERIZED THE POSITION AS POLITICAL, CONSISTENT WITH PREVIOUS GOF COMMENTS AND BELIEVES THE LESS PUBLIC ATTENTION GIVEN TO THE SITUATION THE BETTER. HOWEVER, THE GOF POSITION NOW LACKS ANY HINT OF EARLY SETTLEMENT AND JACOMET IMPLIED THAT THINGS COULD COAST QUIETLY TO THE JULY 16 BONN MEETING. END SUMMARY.

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2. EMBOFF REVIEWED THE HISTORY OF THE LEGISLATION, THE US PUBLIC CONCERN FOR NON-PROLIFERATION AND ENVIRONMENTAL PROTECTION, AND THE EXPERTS GROUP MEETINGS IN PARIS THE SUMMER OF 1977. IN ADDITION, EMBOFF RECALLED THAT THE GOF HAD BEEN INFORMED OF THE US LEGISLATION IN LATE APRIL 1977 AND THAT IT CONTAINED THE FORMULA FOR ENTERING INTO A RENEGOTIATION PHASE TO PERMIT THE

TERMS OF AN EXISTING AGREEMENT TO CONTINUE IN EFFECT. THE JUNE-JULY PARIS EXPERTS MEETINGS BROUGHT FORTH US AGREEMENT (VOICED BY AMBASSADOR SMITH) TO POSTPONE SUBSTANTIVE NEGOTIATIONS UNTIL AFTER INFCE WAS COMPLETED. FRANCE JOINED INFCE; THE SIGNING OF THE ACT WAS DELAYED TO MINIMIZE FRENCH ELECTION PROBLEMS FOR GISCARD; AND THE US ASSUMED THAT ONCE THE FRENCH ELECTION DUST WAS SETTLED, THERE WOULD BE A QUIET EC AGREEMENT TO ENTER THE RENEGOTIATION PHASE (SEE REF C).

3. EMBOFF NOTED THAT ON THE LEGAL SIDE - IN SIMPLE TERMS - THE ACT, AND IF CONTESTED THE US COURTS, WOULD REQUIRE EVIDENCE OF THE EC AGREEMENT TO ENTER INTO THE RENEGOTIATION PHASE. AS LONG AS THE EC RESPONSE CONTAINED AN AGREEMENT TO RENEGOTIATION, AND NOT A REVERSAL OF THAT AGREEMENT IN OTHER PARTS OF THE RESPONSE, IT COULD INCLUDE WHATEVER ELSE THE EC DESIRED, WITHIN REASON.

4. JACOMET LISTENED TO THE HISTORY WITH INTEREST (HE BEGAN HIS JOB IN OCTOBER 1977 AND HAD NOT RECEIVED FULL EXPOSURE TO THE US VERSION OF THE HISTORY). HE SAID THE FRENCH POSITION WAS THE SAME AS PREVIOUSLY STATED, BUT HE NOW MUST OFFER NO HINT OF A NEAR TERM SETTLEMENT. HE AGREED THAT MR. SOUTOU HAD IMPLIED A QUIET SETTLEMENT AFTER THE APRIL 9 DEADLINE WAS COMFORTABLY PASSED (REF CONFIDENTIAL

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C). BUT NOW THE GOF HAD HARDENED A BIT, AND THE HINT OF A QUIET SETTLEMENT WAS NOT NOW IN SIGHT. HE SUGGESTED WE CONSULT SOUTOU AGAIN AT AN EARLY DATE WHICH WE WILL DO. JACOMET HAD NO QUESTION ABOUT THE LEGAL ASPECTS AND DID NOT ASK THAT WE FIND A LOOPHOLE: THE US WANTS AGREEMENT TO RENEGOTIATE AND THE GOF CANNOT NOW AGREE TO RENEGOTIATE. AS TO WHY, JACOMET WOULD ONLY SAY IT IS A POLITICAL MATTER BEING HANDLED BY GISCARD. (REF D WILL BE SHARED WITH JACOMET SOONEST, BUT WE BELIEVE IT WILL MAKE NO DIFFERENCE IN THE FRENCH POSITION.)

5. EMBOFF ASKED JACOMET FOR HIS VIEWS ON WHAT THE FUTURE HELD, GIVEN THE INFLEXIBLE POSITION OF THE US LAW. JACOMET BELIEVED THAT THERE WOULD BE NO EC HARDSHIP DUE TO LACK OF SHIPMENTS FROM THE US FOR SEVERAL MONTHS, AND THAT THE LESS PRESS PLAY THE MATTER RECEIVED, THE EASIER IT WOULD BE FOR AN EVENTUAL SOLUTION. FOR EXAMPLE, HE SAID, IT SHOULD NOT BE

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DIFFICULT TO KEEP THINGS QUIET UNTIL MID-JULY. HE AGREED HE WAS THINKING OF JULY 16 (THE BONN SUMMIT DATE). EMBOFF ASKED WHAT COULD BE ACCOMPLISHED WITH THIS ITEM AT THAT MEETING, SOME NEGOTIATIONS INVOLVING OTHER NUCLEAR SUBJECTS OR A STERN EC LECTURE TO THE US ON ITS "UNI-LATERAL" ACTIONS. JACOMET GAVE NO ANSWER, BUT SHRUGGED HIS SHOULDERS AS IF TO SAY THAT HE DID NOT KNOW BUT WAS ONLY CARRYING OUT INSTRUCTIONS TO HOLD FIRM UNTIL JULY 16. EMBOFF AGREED THAT BOTH SIDES WOULD BE BETTER SERVED IF THERE WAS NO PRESS PLAY, AT LEAST PENDING A SETTLEMENT.

6. COMMENT: AT THIS POINT WE HAVE THE FOLLOWING: THE FRENCH HAVE NO MISUNDERSTANDING ABOUT THE US LAW AND ARE NOT INTERESTED IN FINDING ANY LOOPHOLES; THE FRENCH LINE IS THE SAME, BUT FIRMER IN THAT A SETTLEMENT DATE HAS BEEN POSTPONED AND CIRCUMSTANCES HAVE APPARENTLY CHANGED. WE ARE INCLINED TO BELIEVE THAT GISCARD AND HIS NEW CABINET HAVE DECIDED TO MAKE SOME USE OF THEIR "CHIP" OF AGREEING TO RENEGOTIATION AND THE JULY BONN SUMMIT APPEARS TO BE THEIR CHOSEN FORUM.

7. POSSIBLE BONN SUMMIT TOPIC. FROM OTHER SOURCES WE HAVE HEARD THAT THE GOF WANTS THE BONN SUMMIT TO
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STRONGLY ENDORSE PUSHING AHEAD WITH LWR NUCLEAR

PROGRAMS AND TO CONTINUE EXISTING EFFORTS TOWARD ENERGY INDEPENDENCE (E.G. KEEP UP EXISTING BREEDER REACTOR EFFORTS) AND EXPAND EFFORTS IN NEW ENERGY FIELDS. ANDRE GIRAUD, NOW MINISTER OF INDUSTRY, MENTIONED TO AMBASSADOR SMITH ON FEBRUARY 15, WHEN GIRAUD WAS HEAD OF THE FRENCH CEA, THAT IT WAS NECESSARY FOR THERE TO BE A STRONG STATEMENT FROM ON HIGH, INCLUDING FROM PRESIDENT CARTER, THAT THE LWR PROGRAMS MUST BE PUSHED FORWARD AND THAT BREEDER WORK SHOULD CONTINUE WHILE AT THE SAME TIME NEW, MORE PROLIFERATION-PROOF TECHNOLOGIES WERE EXPLORED AND TESTED. PRESIDENT CARTER'S STATEMENT AT THE SIGNING OF THE NUCLEAR NON-PROLIFERATION ACT ON MARCH 10 WAS NOT NEARLY AS STRONG OR IN THE CONTEXT AS THAT WHICH WE ASSUME GISCARD HAD IN MIND. IT IS POSSIBLE THAT GIRAUD CONTINUES THIS QUEST FOR A CLEAR, TOP-LEVEL PRO-NUCLEAR STATEMENT AND ASSUMES THE FRENCH POSITION AGAINST RENEGOTIATION WILL CAUSE THE US TO AGREE TO JOIN SUCH A STATEMENT AT THE BONN SUMMIT.

8. WE WILL CONSULT WITH SOUTOU VERY SOON AND REPORT ON HIS COMMENTS AND VIEWS. IN THE MEANTIME WE BELIEVE THE BEST USG APPROACH IS TO DO NOTHING THAT WOULD GIVE THE FRENCH THE FEELING THAT WE ARE WILLING TO PAY FOR THEIR AGREEMENT TO RENEGOTIATE.
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